

R.D. # 0002-04
Newark, New Jersey

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 22

ABCO DIECASTERS, INC.¹

Employer

and

CASE 22-RC-12432

LOCAL 300-S, PRODUCTION, SERVICE AND SALES
DISTRICT COUNCIL, UFCW, ALF-CIO, CLC²

Petitioner

DECISION AND DIRECTION OF ELECTION

I. INTRODUCTION

Upon a petition, duly filed under Section 9(c) of the National Labor Relations Act, as amended, herein referred to as the Act, the Petitioner is seeking to represent a unit of approximately 117 employees consisting of all full-time and regular part-time production and maintenance employees, warehouse employees, shipping and receiving employees and truck drivers employed by ABCO Diecasters, Inc. (herein the Employer) at its 39 Tompkins Point Road, Newark, New Jersey facility, but excluding all office clerical employees, professional

¹ The name of the Employer appears as amended at the hearing.

² The name of the Petitioner appears as amended at the hearing.

employees and guards and supervisors as defined in the Act. The Employer seeks to exclude from the unit quality assurance employees, setup employees, shipping and receiving employees, the tool room employee, production control employee, maintenance employee and truck driver on the basis that the aforementioned employees do not share a community of interest with the petitioned-for unit, namely the die-caster employees.

For the reasons set forth below, I find that the Employer has not overcome its burden and the petitioned-for unit is an appropriate unit in which I shall direct an election.

Pursuant to the provisions of Section 3(b) of the Act, the Board has delegated its authority in this proceeding to the undersigned.

Upon the entire record in this proceeding³ the undersigned finds:

1. The hearing officer's rulings made at the hearing are free from prejudicial error and are hereby affirmed.

2. The Employer is engaged in commerce within the meaning of the Act and it will effectuate the purposes of the Act to assert jurisdiction herein.⁴

3. The labor organization involved claims to represent certain employees of the Employer.⁵

³ The parties waived the filing of briefs in this matter.

⁴ The Employer is a New Jersey corporation engaged in the production of die casting at its Newark, New Jersey facility, the only facility involved herein. During the preceding 12 months, the Employer derived gross revenue in excess of \$50,000 from the sale and shipment of its products directly to customers located outside the State of New Jersey.

⁵ The parties stipulated and, I find, that the Petitioner is a labor organization within the meaning of Section 2(5) of the Act.

4. A question affecting commerce exists concerning the representation of certain employees of the Employer within the meaning of Section 9(c)(1) and Section 2(6) and (7) of the Act.

5. There is no history of collective bargaining between the Employer and the Petitioner and there is no contract bar or other bar that would preclude processing of the petition.

6. The following employees of Employer constitute a unit appropriate for the purpose of collective bargaining within the meaning of Section 9(b) of the Act for the reasons described *infra*:

All full-time and regular part-time die cast employees, tumbling employees, trim machine operators, material handlers, powder coating employees, secondary department employees, quality assurance employees, setup employees, shipping and receiving employees, including truck drivers, production control employees, tool room employees and maintenance employees employed by the Employer at its 39 Tompkins Point Road, Newark, New Jersey facility, but excluding all office clerical employees, professional employees and guards and supervisors as defined in the Act.

II. FACTS

a. The Employer's Operation

The Employer is engaged in the production of zinc die-casting, a metal product used in various industries such as the automotive and hardware industries. The Employer's operations are similar to an assembly line insofar as die casting parts move from one part of the physical plant to the next. When the Employer receives an order from a customer, the order is taken by an office clerical who

passes it on to Joseph Vitollo, one of three brothers who are the only principals of the Employer. Vitollo approves the order and returns it to an office clerical for input into the Employer's computer system.

Upon input, the order is passed along to Margo Lopez, part of production control, who checks to make sure that the order is correctly entered and who schedules the job for production. When the time comes for the Employer to make parts for an order, Lopez, whose office is on the production floor, schedules the time and location of the placement of all tools to be used in the production process. Lopez then writes a work order that is ultimately placed on a wall outside her office. The wall is considered the "set up" area where Lopez places work orders in slots according to the machine that will produce the tools.

A setup employee takes the work order to the location that Lopez has designated as the area where the tool(s) needed to complete the job are located. The designated area is a storage/inventory area located within the secondary department. Once in that area, the setup employee will physically pull the tools needed off the shelf and take them to the machine that is to be used to produce the customer's order.

The setup employee will then replace the existing tool(s) on the machine with those needed to complete the customer's order, all the while recording on a checklist the things he or she is doing to complete the job. If there is a need to repair the tool(s), the setup employee can dismantle the tool(s) and make certain repairs. This occurs when the tool room employees are very busy.

Once the machine has the new tool(s) to produce the customer's order, the setup employee makes a sample of the customer's order, called a "shot." The shot is then taken to the quality assurance department, which approves the shot for production by the die-caster. The quality assurance department reviews Lopez's work order, also known as a setup sheet, by pulling the blueprint, measuring the holes and different surfaces and inspecting the shot. If the shot fails, a quality assurance employee will go back to the setup employee and have that person make the correction to the tool(s) and make the appropriate shot(s).

Once the shot is acceptable, the quality assurance employee signs-off on the work order (setup sheet) which, in turn, alerts the setup employee to inform the die-caster to proceed with production of the customer's order. Upon completion of the die-caster's job, quality assurance signs-off on the product and the die-caster either places the product in the shipping container or on a conveyor belt to the trimming operator. The product is then placed in a shipping container.

Quality assurance then makes a final inspection of the product in the container. If quality assurance does not approve the product, a quality assurance employee moves the product to a holding area. The quality assurance manager later reviews the product. If the quality assurance manager disagrees with the quality assurance employee, a disposition is written to either fix the product or remelt and begin the process again⁶. If the product passes quality assurance, a move

⁶ Trim operators and die-casters sort through the containers to pull the bad parts from the good parts.

ticket is administered to assign the product to the next phase of the operation, the tumbling room or the powder coating room.

The final operation is to move the product from the appropriate room to the shipping and receiving department. A shipping and receiving employee who is trained to drive the Employer's forklift moves the product from the appropriate room to the shipping and receiving department.

b. Employer's Facility

The Employer conducts these operations only at its 39 Tompkins Point Road, Newark, New Jersey facility. The facility is self-contained, consisting of five departments and two offices. The five departments adjoin one another and are the die casting, shipping and receiving, secondary, tumbling and powder coating departments. The main office is an elevated, mezzanine-style office located within the die-casting department. The second office is the Employer's production, quality assurance and engineering office, which is located on the production floor. This office is self-contained and located among the die casting, secondary and shipping and receiving departments.

The mezzanine office houses Joseph Vitollo and three clerical employees. The production floor office houses Lopez, Principal Alfred Vitollo, engineer Chris Sielski, quality assurance supervisor Carlos Jose and daytime supervisor Orlando Torres.

c. Management Structure

Joseph Vitollo is the Employer's President and Alfred Vitollo and Stephen Vitollo are the Employer's Vice Presidents. Together, the Vitollo brothers are the Employer's principals and shareholders. The engineer and technician are Sielski and Alberto Camacho, respectively.

The record reveals that the following employees are supervisors: Carlos Jose (quality assurance), Orlando Torres (die casting, dayshift), Juan Serrano (die casting, nightshift), Jose Calles (tumbling department), Hilaris Lantigua (secondary department) and Richard Uszenski (power coating). In addition to supervising the employees in their respective departments, Torres, Serrano, Calles and Lantigua all supervise the rank-and-file die-casters during the actual production of the die cast material.

All supervisors report to one or more of the Vitollo brothers.

d. Wages, Hours and Other Benefits

Die-casters, tumblers and powder coaters are all hourly employees. Die-casters earn approximately \$7.00 per hour. Tumblers earn between \$6.00 and \$14.00 an hour, with the lowest salary belonging to a new employee. Some powder coaters earn minimum wage while others are paid \$6.00 per hour.

The disputed classifications⁷, quality assurance employees, setup employees, shipping and receiving employees, the tool room employee,

⁷ There are twenty-two employees in the classifications the Employer seeks to exclude. Their breakdown is as follows: quality assurance (7), setup (6), shipping and receiving (6), tool room (1), production

production control employee, maintenance employee and truck driver are all hourly employees. Quality assurance employees earn between \$7.00 and \$9.00 per hour, setup employees between \$12.00 and \$33.00 per hour. Shipping and receiving employees earn less than \$10.00 per hour; part-time shipping and receiving employees earn between \$7.00 and \$10.00 an hour. The tool room employee, Peter Dudberg, earns approximately \$20.00 per hour. The production control employee, Lopez, earns nearly \$8.00 per hour. The maintenance employee, Valentine Garcia, earns approximately \$16.00 per hour. Truck driver Albert Legatime earns between \$10.00 and \$15.00 per hour.

Die-casters, tumblers, powder coaters, quality assurance employees, setup employees and shippers and receivers all use a swipe card to record their time and attendance. Management employees do not use a swipe card. Die-casters work two shifts, 7:00 a.m. to 3:30 p.m. and 3:30 p.m. to midnight. Quality assurance employees work two shifts, one shift beginning between 6:00 a.m. and 6:30 a.m. and ending at 3:30 p.m. and the other beginning at 3:30 p.m. and ending at midnight. Setup employees work two shifts, 6:00 a.m. to 3:30 p.m. and 3:30 p.m. to midnight. Setup employees occasionally work some overtime, an hour to an hour and a half. Shipping and receiving employees work one shift, from 6:30 a.m. to 4:30 p.m. or 5:00 p.m. Dudberg works from 6:30 a.m. to 4:30 p.m. Garcia

control (1) and maintenance (1). The record reveals that there are approximately eighty-five die-casting employees.

works from 6:30 a.m. to 3:30 p.m. Legatime is part of the shipping and receiving department and, thus, his hours are from 6:30 a.m. to 4:30 p.m. or 5:00 p.m.

All employees, no matter what their job classifications, receive vacation leave based upon the number of years of service with the Employer. All employees enjoy the same number of holidays and sick time. Health benefits are offered only to management and not to rank-and-file employees.

All employees attend safety meetings appropriate to the jobs they perform.

III. ANALYSIS

a. General Principles

The primary issue to be resolved is whether the unit sought by the Petitioner is appropriate for purposes of collective bargaining. There is nothing in the Act that requires the unit for bargaining be the *only* appropriate unit, the *ultimate* appropriate unit or the *most* appropriate unit; the Act requires only that the unit *be* appropriate, i.e., that it insure to employees in each case “the fullest freedom in exercising the rights guaranteed by [the] Act.” *Bartlett Collins Co.*, 334 NLRB 484 (2001); *Overnite Transportation Co.*, 322 NLRB 723 (1996); and *Dezcon, Inc.*, 259 NLRB 109 (1989). In making unit determinations, the Board’s task is not to determine *the* most appropriate unit, but simply to determine *an* appropriate unit. *P.J. Dick Contracting*, 290 NLRB 150 (1988). In doing so, the Board looks “first to the unit sought by the petitioner. If it is appropriate, [the] inquiry ends. If, however, it is inappropriate, the Board will scrutinize the Employer’s proposals.” *Dezcon, Inc.*, *supra* at 111.

It is well established that units of production and maintenance employees are appropriate. *Eastern Iron and Metal Co.*, 106 NLRB 1261(1953); *Geneva Steel Co.*, 57 NLRB 50 (1944); *Electro-Metallurgical Co.*, 54 NLRB 15 (1943); and, *Sheffield Steel Corp.*, 43 NLRB 956 (1942). The Board has traditionally included, in production and maintenance units, quality control employees who have substantial contact with production and maintenance employees and whose duties are an integral part of the overall manufacturing process. *Liberty Glass Division*, 211 NLRB 939 (1974). Similarly, plant clerical employees, who have a community of interest with production and maintenance employees, are generally included in production and maintenance units. *Columbia Cabinet Corp.*, 146 NLRB 1039 (1964); *Ensco Derrick and Equipment Co.*, 72 NLRB 378 (1947).

In determining whether a unit is appropriate, the Board considers whether the employees share a community of interest. The factors the Board reviews in making this decision are well-established and include the training and skills of employees, their hours of work and compensation, the extent of interchange and contact among employees, whether there is common supervision and the bargaining history, or absence thereof, at the Employer's facility.⁸ *Kalamazoo Paper Box Corp.*, 136 NLRB 134 (1962). An application of the foregoing to the instant case makes clear that the Petitioner's unit is appropriate for the purposes of collective bargaining.

⁸ As noted supra, there is no bargaining history between the parties.

b. Disputed Classifications

i. Quality Assurance Employees

Quality assurance employees are integral to manufacturing the Employer's product. At various stages of production, quality assurance employees either pass or fail products. In essence, these employees are the Employer's "gatekeepers," preventing the issuance of an inferior product. The Employer places at least one quality assurance employee in each of its production departments (i.e.; die casting, secondary, tumbling, and powder coating).⁹

Quality assurance employees have daily contact with the departments to which they are assigned. In addition, quality assurance employees have daily contact with setup employees and Lopez. Quality assurance employees do not have direct contact with Garcia; however, all of the Employer's departments are located under one roof and Garcia is in-and-out of those departments as needed. The quality assurance employees are paid between \$7.00 and \$9.00 per hour.

Quality assurance employees, who work alongside die-casters and others, work the same hours as the employees they shadow. While they are not "married to their machines" like die-casters, they do patrol the various departments to which they are assigned in order to ensure smooth production that conforms with the Employer's standards. Although the Employer asserts that quality assurance

⁹ Although quality assurance employees have their own supervisor, they are totally integrated into the production process. It is well established Board law that when quality assurance employees have regular daily contact with production employees and share similar terms and conditions of employment, they are included with the production and maintenance unit. *Keller Crescent Co.*, 326 NLRB 1158 (1998).

employees can reprimand die-casters, it failed to provide evidence of an instance when this occurred. Moreover, I note that the quality assurance employees cannot hire or fire, nor grant or deny sick or vacation time.

Quality assurance employees review the setup sheet and make the first article inspection by pulling out the blue print for the product and measuring the holes and different surfaces to ensure that specifications have been met. Quality assurance employees are trained to work with different kinds of measuring devices, calipers, micrometers, optical comparators and other instruments. Quality assurance employees need a high school diploma (although the Employer acknowledges that this is not a “hard and fast” rule), the same educational level required of the die-casters.

ii. Setup Employees

The Employer’s setup employees “pretty much keep a good eye on production and how the equipment is running.” I conclude that the setup employees are also an integral part of the Employer’s process. Setup employees set the machines for production according to the work orders created by Lopez. These employees are responsible for making the ‘shots’ that are submitted to quality assurance for approval prior to the die-casters beginning the manufacturing of the Employer’s product. In addition to setting up the machines, these employees troubleshoot the machines they set up and that the die-casters operate.

Setup employees receive their initial instructions from Lopez and, as a result, have daily contact with her and her department. Setup employees also have

daily contact with quality assurance since the shots they produce in accordance with Lopez' work orders must be signed-off before the die-casters can begin actual production. The Employer's witness testified that setup employees have daily contact "with everyone in production," except Garcia. However, as noted above, the Employer's departments are located under one roof and Garcia is in-and-out of those departments as needed.

Setup employees work similar shift times as their die-casting counterparts and are paid on an hourly basis, but at a rate higher than die-casters. When compared to die-casters, setup employees earn "substantially more." Whereas die-casters earn around \$7.00 an hour, setup employees earn between \$12.00 and \$33.00 per hour.¹⁰

With regard to training, setup employees receive training on how to set up the tools, take them apart and how the overall die cast machine runs. The educational requirement of a setup employee is a high school diploma, although if the Employer were satisfied with a prospective setup employee who completed an application, it would forego the high school diploma requirement. Setup employees do not need to carry any special certificate, label or license.

iii. Shipping and Receiving Employees and the Truck Driver

¹⁰ The record does not reflect the number of set-up employees who receive the \$33 per hour wage rate, which is a significantly higher rate of pay compared to other unit employees. However, I find that, notwithstanding the fact that some set-up employees are highly paid, their job function is so directly related to and integrated with those of the other employees sought that they share a community of interest with the petitioned for unit.

The Shipping and Receiving Department includes the truck driver, Legatime, who is a local delivery person for the Employer.¹¹ Shipping and receiving employees prepare the Employer's product to be shipped to its customers and receive raw materials or components that come in to be assembled with parts already on hand. When product is not being shipped or materials are not being received, these employees perform other odds and ends associated with shipping and receiving. To this end, these employees drive forklifts around the facility to gather product and bring it to the shipping and receiving department to either pack or otherwise get it ready for shipment. Shipping and receiving employees also use the forklifts to deliver the raw materials to the die cast floor for use by the die-casters in production.

The record reveals that shipping and receiving employees have contact with Lopez several times a day. While the record is unclear as to the extent of the shipping and receiving employees' contact with the die-caster, based on testimony that shipping and receiving employees transport raw materials to the die cast floor and transport product from the production floor to be shipped, I find the shipping and receiving employees, including Legatime have contact with production employees.

Shipping and receiving employees do not work a second shift, but are at the facility during the entire day shift of production. Shipping and receiving

¹¹ Testimony reveals Legatime spends at least 50% of his workday at the facility.

employees receive wage rates comparable to that of die-casters. Shipping and receiving employees earn between \$7.00 and \$10.00 per hour, but Legatime receives between \$10.00 and \$15.00 per hour. Die-casters, as noted supra, earn approximately \$7.00 per hour.

Shipping and receiving employees have no specialized training, except that Legatime is required to hold a commercial driver's license. Further, testimony reveals that there is no specific educational requirement for shipping and receiving employees and that a high school diploma will suffice.

iv. The Tool Room Employee

Tool room employee Peter Duberg's responsibilities include building and repairing tools needed for die-casting production. He is also responsible for repair of the die-casting machines. At times, Duberg can alter tools to effectuate higher efficiency in production.

The record reveals Duberg has contact with Garcia several times a week. Duberg also has contact with die-casters on a weekly basis to ensure the parts he has built or repaired are working properly. Duberg has contact with the secondary department because his area is located in the corner of that department.

Duberg does not work a second shift, but is at the facility during the entire day shift of production. Duberg is an hourly employee earning in the neighborhood of \$20.00 per hour.

The Employer's witness states that Duberg is "highly skilled" and "highly trained" and that there is no comparison between Duberg's skill and the skill level

of die-caster: Duberg is much more skilled than die-casters. The Employer's witness' reasoning was that Duberg has a "numerous amount of years of experience" in repairing die casting machines and gets into much more detail than the die-casters. This high skill level and Duberg's work do not preclude him from placement in the unit sought by the Petitioner.¹²

v. The Production Control Employee

The record reveals that production control employee Margo Lopez begins the production process by checking the orders that come into the main office. From there, Lopez schedules the job for production by determining which tools are needed to process the job to completion. Lopez ultimately writes a work order that is placed on a wall outside her office, called the setup area. The setup employees, who initiate the physical end of the production process, then take work orders from that area.

Given that the work orders are created mainly for use by the setup employees, Lopez has substantial contact with those employees. As noted supra, the record reveals Lopez and the shipping and receiving employee have contact several times a day. Lopez is in contact with quality assurance employees at least once a day and several times a day with the die-casters and other production employees. Moreover, based on her having to create the work orders and her

¹² The fact that two or more groups of employees engage in different processes does not by itself render a combined unit inappropriate if there is a sufficient community of interest among the employees. *Berea Publishing Co.*, 140 NLRB 516 (1963).

contact with the setup and quality assurance employees, I find she is on the Employer's premises at least during the entire day shift of production.

Lopez earns a comparable wage rate to that of die-casters, quality assurance and shipping and receiving employees. Lopez earns nearly \$8.00 an hour, which is substantially similar to die-casters who earn approximately \$7.00 per hour, quality assurance employees who earn between \$7.00 and \$9.00 an hour and shipping and receiving employees who earn less than \$10.00 an hour, except for Legatime .

The record reveals Lopez' position does not require any specialized training or education. The Employer's witness testified that a production control employee would need at least a high school diploma, although as noted with the requirements of other positions, the Employer did not consider this to be a "hard and fast" rule.

vi. The Maintenance Employee

Maintenance employee Valentine Garcia repairs equipment when there is a problem and runs wiring to setup equipment when needed. He also has the ability to repair plumbing. Garcia is pivotal to the fabrication (cutting, welding and bending) of sheet metal used to make different chutes or components that may be needed for the machinery. On occasion, Garcia will go out on the road to different vendors to pick-up materials used during the course of his day.

Garcia has contact with Duberg several times a week and there is testimony that Garcia interchanges with Duberg when Duberg is not available. Garcia has contact with the setup employees several times a day.

Garcia works 6:30 a.m. to 3:30 p.m. daily. His hourly rate of pay is in the \$16.00 range, higher than the other production employees.

c. Relatives Employed By Management

The record reveals that Alfred Vitollo and James Vittollo (shipping and receiving) and Michael Vitollo (tool room) are employed by the Employer. Section 2(3) of the Act specifically excludes from coverage “any individual employed by his parent or spouse.” As the aforementioned employees are the sons of one or more of the Vitollo principals, I exclude them on the basis of Section 2(3) of the Act. *Scandia*, 167 NLRB 623 (1967) (excluding from bargaining units children and spouses of individuals who have substantial stock interests in closely held corporations).

IV. CONCLUSION

I find that the petitioned for unit is an appropriate unit. In this regard, I note that the Employer has failed to present any evidence in support of its assertion that the disputed classifications should not be included in the overall unit.

There is a high-degree of functional integration. The Employer’s operations are “similar to an assembly line” and all operations are located under one roof. While there are several departments, these departments are adjacent to

one another and their operational integration is imperative to the overall production process. *Seaboard Marine Ltd.*, 327 NLRB 556 (1999); *Transerv Systems*, 311 NLRB 766 (1993); and *Michigan Wisconsin Pipe Line Co.*, 194 NLRB 469 (1972).

There is common supervision. Although the departments have separate low level supervisors,¹³ all report to one or more of the Vitollo brothers, who are the only management personnel empowered with the ability to independently or otherwise effectively recommend, hire and termination. *Associated Milk Producers*, 250 NLRB 1407 (1970); *Sears Roebuck & Co.*, 191 NLRB 398 (1971); and *Donald Carroll Metals*, 185 NLRB 409 (1970).

The fringe benefits are the same. *Donald Carroll Metals*, *supra*. As noted earlier, all employees, no matter what their job classification, receive vacation leave based upon the number of years of service to the Employer. All employees enjoy the same number of holidays and sick time. Health benefits are not offered to any rank-and-file employees.

Based on the above, I find that all classifications disputed by the Employer share a sufficient community of interest with the die-casting employees and that their job functions are directly related and integrated with the work of these employees. Therefore, they should be included in the unit found appropriate herein.

¹³ Difference in supervision is not a *per se* basis for excluding employees from an appropriate unit. *Texas Empire Pipe Line Co.*, 88 NLRB 631 (1950).

DIRECTION OF ELECTION

An election by secret ballot shall be conducted by the undersigned among the employees in the unit found appropriate at the time and place set forth in the notice of election to issue subsequently, subject to the Board's Rules and Regulations. Eligible to vote are those in the unit who are employed during the payroll period ending immediately preceding the date of this Decision, including employees who did not work during that period because they were ill, on vacation, or temporarily laid off. Also eligible are employees engaged in an economic strike which commenced less than 12 months before the election date and who retained their status as such during the eligibility period and their replacements. Those in the military services of the United States Government may vote if they appear in person at the polls. Ineligible to vote are employees who have quit or been discharged for cause since the designated payroll period, employees engaged in a strike who have been discharged for cause since the commencement thereof and who have not been rehired or reinstated before the election date, and employees engaged in an economic strike which commenced more than 12 months before the election date and who have been permanently replaced. Those eligible shall vote whether or not they desire to be represented for collective bargaining purposes by **Local 300-S, Production, Service and Sales District Council, UFCW, AFL-CIO, CLC.**

LIST OF VOTERS

In order to ensure that all eligible voters may have the opportunity to be informed of the issues in the exercise of their statutory right to vote, all parties in the election should have access to a list of voters and their addresses which may be used to communicate with them. *Excelsior Underwear, Inc.*, 156 NLRB 1236 (1966); *NLRB v. Wyman-Gordon Company*, 394 U.S. 759 (1969). Accordingly, it is hereby directed that within seven (7) days of the date of this Decision, two (2) copies of an election eligibility list containing the full names and addresses of all the eligible voters in the voting groups found appropriate above shall be filed by the Employer with the undersigned, who shall make the list available to all parties to the election. *North Macon Health Care Facility*, 315 NLRB 359 (1994). In order to be timely filed, such list must be received in NLRB Region 22, 20 Washington Place, Fifth Floor, Newark, New Jersey 07102, on or before February 18, 2004. No extension of time to file this list shall be granted, except in extraordinary circumstances, nor shall the filing of a request for review operate to stay the requirement here imposed.

RIGHT TO REQUEST REVIEW

Under the provision of Section 102.67 of the Board's Rules and Regulations, a request for review of this Decision may be filed with the National Labor Relations Board, addressed to the Executive Secretary, 1099 14th Street,

N.W., Washington, DC 20570-0001. The Board in Washington must receive this request by February 25, 2004.

Signed at Newark, New Jersey this 11th day of February 2004.

Gary T. Kendellen, Regional Director
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